

02/09/01  
1040 U.S. PTO

02-12-01

A, Box 5  
PTO/SB/05 (08-00)

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. MBX 038

First Inventor Kristi D. Snell

Title MULTI-GENE EXPRESSION CONSTRUCTS  
CONTAINING MODIFIED INTEINS

Express Mail Label No. EL 709 415 640 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 25]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 4]
5. Oath or Declaration [Total Pages 2]
  - a. ☒ Unexecuted
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 17 completed)
  - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☒ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☒ paper
  - c. ☒ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Other: .....

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: \_\_\_\_\_ / \_\_\_\_\_

Prior application information.

Examiner \_\_\_\_\_

Group / Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 18. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

or ☐ Correspondence address below

|         |  |           |                |          |                |
|---------|--|-----------|----------------|----------|----------------|
| Name    | Patrea L. Pabst<br>Arnall Golden & Gregory, LLP        |           |                |          |                |
| Address | 2800 One Atlantic Center<br>1201 West Peachtree Street |           |                |          |                |
| City    | Atlanta  | State     | GA             | Zip Code | 30309-3450     |
| Country | United States  | Telephone | (404) 873-8794 | Fax      | (404) 873-8795 |

Name (Print/Type)

Robert A. Hodges

Registration No. (Attorney/Agent)

41,074

Signature

Date February 9, 2001

Burden Hour Statement: This form is estimated to take 62 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$427.00)

**Complete if Known**

|                      |                  |
|----------------------|------------------|
| Application Number   |                  |
| Filing Date          | February 9, 2001 |
| First Named Inventor | Kristi D. Snell  |
| Examiner Name        |                  |
| Group Art Unit       |                  |
| Attorney Docket No.  | MBX 038          |

**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

|                        |                             |
|------------------------|-----------------------------|
| Deposit Account Number | 01-2507                     |
| Deposit Account Name   | Amall Golden & Gregory, LLP |

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17☒ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Code | Small Entity Code | Fee (\$) | Fee Description | Fee Paid               |        |
|-------------------|-------------------|----------|-----------------|------------------------|--------|
| 101               | 710               | 201      | 355             | Utility filing fee     | 355.00 |
| 106               | 320               | 206      | 160             | Design filing fee      |        |
| 107               | 490               | 207      | 245             | Plant filing fee       |        |
| 108               | 710               | 208      | 355             | Reissue filing fee     |        |
| 114               | 150               | 214      | 75              | Provisional filing fee |        |

SUBTOTAL (1) (\$355.00)

**2. EXTRA CLAIM FEES**

|                    |    |        |   |   |      |   |       |
|--------------------|----|--------|---|---|------|---|-------|
| Total Claims       | 28 | - 20 = | 8 | X | 9.00 | = | 72.00 |
| Independent Claims | 2  | - 3 =  | 0 | X | 0    | = | 0     |
| Multiple Dependent |    |        |   |   |      |   |       |

| Large Entity Code | Small Entity Code | Fee (\$) | Fee Description |  |
|-------------------|-------------------|----------|-----------------|--|
| 103               | 18                | 203      | 9               | Claims in excess of 20                                     |
| 102               | 80                | 202      | 40              | Independent claims in excess of 3                          |
| 104               | 270               | 204      | 135             | Multiple dependent claim, if not paid                      |
| 109               | 80                | 209      | 40              | ** Reissue independent claims over original patent         |
| 110               | 18                | 210      | 9               | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$72.00)

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity Code | Small Entity Code | Fee (\$) | Fee Description | Fee Paid   |  |
|-------------------|-------------------|----------|-----------------|--|--|
| 105               | 130               | 205      | 65              | Surcharge - late filing fee or oath  |  |
| 127               | 50                | 227      | 25              | Surcharge - late provisional filing fee or cover sheet                     |  |
| 139               | 130               | 139      | 130             | Non-English specification  |  |
| 147               | 2,520             | 147      | 2,520           | For filing a request for <i>ex parte</i> reexamination                     |  |
| 112               | 920*              | 112      | 920*            | Requesting publication of SIR prior to Examiner action                     |  |
| 113               | 1,840*            | 113      | 1,840*          | Requesting publication of SIR after Examiner action                        |  |
| 115               | 110               | 215      | 55              | Extension for reply within first month                                     |  |
| 116               | 390               | 216      | 195             | Extension for reply within second month                                    |  |
| 117               | 890               | 217      | 445             | Extension for reply within third month                                     |  |
| 118               | 1,390             | 218      | 695             | Extension for reply within fourth month                                    |  |
| 128               | 1,890             | 228      | 945             | Extension for reply within fifth month                                     |  |
| 119               | 310               | 219      | 155             | Notice of Appeal   |  |
| 120               | 310               | 220      | 155             | Filing a brief in support of an appeal                                     |  |
| 121               | 270               | 221      | 135             | Request for oral hearing   |  |
| 138               | 1,510             | 138      | 1,510           | Petition to institute a public use proceeding                              |  |
| 140               | 110               | 240      | 55              | Petition to revive - unavoidable   |  |
| 141               | 1,240             | 241      | 620             | Petition to revive - unintentional   |  |
| 142               | 1,240             | 242      | 620             | Utility issue fee (or reissue)   |  |
| 143               | 440               | 243      | 220             | Design issue fee   |  |
| 144               | 600               | 244      | 300             | Plant issue fee  |  |
| 122               | 130               | 122      | 130             | Petitions to the Commissioner  |  |
| 123               | 50                | 123      | 50              | Petitions related to provisional applications                              |  |
| 126               | 240               | 126      | 240             | Submission of Information Disclosure Stmt                                  |  |
| 581               | 40                | 581      | 40              | Recording each patent assignment per property (times number of properties) |  |
| 146               | 710               | 246      | 355             | Filing a submission after final rejection (37 CFR § 1.129(a))              |  |
| 149               | 710               | 249      | 355             | For each additional invention to be examined (37 CFR § 1.129(b))           |  |
| 179               | 710               | 279      | 355             | Request for Continued Examination (RCE)                                    |  |
| 169               | 900               | 169      | 900             | Request for expedited examination of a design application                  |  |

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

**SUBMITTED BY**

|                   |                  |                                   |                  |           |              |
|-------------------|------------------|-----------------------------------|------------------|-----------|--------------|
| Name (Print/Type) | Robert A. Hodges | Registration No. (Attorney/Agent) | 41,074           | Telephone | 404-873-8796 |
| Signature         |                  | Date                              | February 9, 2001 |           |              |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Kristi D. Snell

Serial No.: Express Mail Label No.: EL 709 415 640 US

Filed: February 9, 2001 Date of Deposit February 9, 2001

For: MULTI-GENE EXPRESSION CONSTRUCTS CONTAINING  
MODIFIED INTEINS

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

**EXPRESS MAIL TRANSMITTAL LETTER  
FOR PATENT APPLICATION AND CERTIFICATE OF MAILING**

Sir:

Pursuant to 35 U.S.C. § 21(a) as amended by Public Law 97-247 and 37 C.F.R. § 1.10, Kristi D. Snell encloses for filing the attached patent application entitled "MULTI-GENE EXPRESSION CONSTRUCTS CONTAINING MODIFIED INTEINS", which claims priority to U.S.S.N. 60/181,739 filed February 11, 2000. The application includes 1 page of Abstract, 21 pages of specification, 3 pages of claims, 4 sheets of informal drawings, and an unexecuted Declaration. An executed Declaration, and Assignment to Metabolix, Inc. will be submitted shortly. A check in the amount of \$355.00 to cover the basic filing fee is enclosed. The Commissioner is authorized to charge \$72.00 to our Deposit Account No. 01-2507 to cover the additional fee for excess claims.

This application is entitled to small entity status under 37 C.F.R. § 1.27.

"MULTI-GENE EXPRESSION CONSTRUCTS CONTAINING  
MODIFIED INTERNS"  
Filed February 9, 2001  
Express Mail Transmittal Letter for  
Patent Application and Certificate of Mailing  
Express Mail Label No. EL 709 415 640 US

This application is being filed on February 9, 2001 by mailing the application to the Assistant Commissioner for Patents, Washington, D.C. 20231 via the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10. The Express Mail label number appears in the heading of this paper which is attached to the application papers pursuant to 37 C.F.R. § 1.10(b).

This application contains nucleic acid and/or protein sequences as defined in 37 C.F.R. § 1.821-1.825. Pursuant to 37 C.F.R. § 1.821-1.825, applicants enclose a 3½" diskette containing a computer-readable form of the Sequence Listing for the above-identified application. A paper copy of the Sequence Listing is incorporated into the application.

I declare that the material on the diskette is identical to the paper copy of the Sequence Listing present in the above-identified application, and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements may jeopardize the validity of the application or any patent issuing thereon.

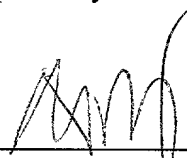
The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment to Deposit Order Account No. 01-2507. To facilitate this process, applicants have enclosed a duplicate of this letter.

"MULTI-GENE EXPRESSION CONSTRUCTS CONTAINING  
MODIFIED INTEINS"  
Filed February 9, 2001  
Express Mail Transmittal Letter for  
Patent Application and Certificate of Mailing  
Express Mail Label No. EL 709 415 640 US

All correspondence concerning this application should be mailed to:

Patrea L. Pabst, Esq.  
ARNALL GOLDEN & GREGORY, LLP  
2800 One Atlantic Center  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3450

Respectfully submitted,



Robert A. Hodges  
Reg. No. 41,074

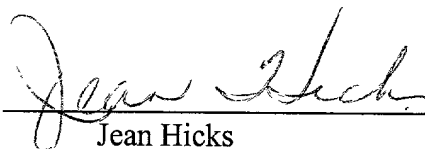
Date: February 9, 2001

ARNALL GOLDEN & GREGORY, LLP  
2800 One Atlantic Center  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3450  
(404) 873-8794  
(404) 873-8795 Telefax

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this Express Mail Transmittal Letter for Patent Application and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, February 9, 2001, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, mailing label number EL 709 415 640 US, addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: February 9, 2001

  
Jean Hicks